

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA, )  
v. )  
Plaintiff )  
RUTHERFORD COUNTY, TENNESSEE, )  
Defendant )  
ISLAMIC CENTER OF MURFREESBORO )  
and DR. OSSAMA BAHLOUL, )  
Plaintiffs )  
v. )  
RUTHERFORD COUNTY, TENNESSEE, )  
Defendant )  
Case No. 3:12-0737  
Judge Sharp/Brown  
)  
Case No. 3:12-0738  
Judge Sharp/Brown  
**Jury Demand**  
)  
Case No. 3:12-0738  
Judge Sharp/Brown  
**Jury Demand**  
)

O R D E R

A telephone conference was held with the parties in these two cases on November 21, 2013. The intervenors have notified the Court that they intend to file a petition for certiorari with the United States Supreme Court within the time allowed.

The intervenors are directed to notify the Magistrate Judge within **five days** of any decision by the United States Supreme Court to grant or deny certiorari. In the event certiorari is denied, the Magistrate Judge would convene another telephone conference to see whether anything, as a practical matter, would remain to be done in this case. It would appear to the Magistrate

Judge that if the United States Supreme Court denies certiorari that these cases would essentially be over and should be dismissed.

In the event the United States Supreme Court grants certiorari, the intervenors are directed to notify the Magistrate Judge within **five days** of the decision by the United States Supreme Court on the matter and, once again depending on the decision, the Magistrate Judge would convene a telephone conference to discuss what, if anything, remained to be done in these cases.

The United States and the intervenors pointed out that in chancery court there is a motion for the chancellor to issue a mandamus to require certain action by Rutherford County. The chancellor has stayed action on that motion pending resolution of the federal cases. This may present a bit of the which came first, the chicken or the egg question. However, the Magistrate Judge would think that absent some change in the status quo, that if the Supreme Court does not end up granting certiorari and reversing the decision of the Tennessee Appellate Court, that this litigation is over in both federal and state court.

It is so **ORDERED**.

/s/ Joe B. Brown  
JOE B. BROWN  
United States Magistrate Judge